

**REMARKS**

**Summary of the Office Action**

Claims 1, 3, 4-6, 9 remain rejected under 35 U.S.C. §103(a) as being unpatentable over Applicants' Admitted Prior Art (hereinafter "AAPA") in view of Yang et al. (U.S. Patent No. 6,383,048) (hereinafter "Yang") and further in view of Gytoku et al. (U.S. Patent No. 6,195,142) (hereinafter "Gytoku").

Claims 10, 11, 13-15, 18-21 and 25 remain rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA and Yang.

Claims 26-33 remain rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA and in view of Shi et al. (U.S. Patent No. 5,811,177) (hereinafter "Shi").

Claims 12 and 22 remain rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA and Yang and further in view of Gytoku.

Alternatively, claims 3, 12 and 22 remain rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA and Yang and further in view of Nakaya et al. (U.S. Patent No. 6,172,458) (hereinafter "Nakaya").

Claims 7 and 8 remain rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA, Yang and Gytoku and further in view of Gledhill et al. (U.S. Patent No. 6,180,176) (hereinafter "Gledhill").

Claims 16-17 and 23-24 remain rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA and Yang and further in view of Gledhill.

**Summary of the Response to the Office Action**

Applicants have canceled claim 3 without prejudice or disclaimer. Accordingly, claims 1 and 4-33 remain pending for further consideration.

**The Rejections under 35 U.S.C. § 103(a)**

Claims 1, 3, 4-6, 9 remain rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA in view of Yang and further in view of Gyotoku. Claims 10, 11, 13-15, 18-21 and 25 remain rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA and Yang. Claims 26-33 remain rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA and in view of Shi. Claims 12 and 22 remain rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA and Yang and further in view of Gyotoku. Claim 3, 12 and 22 remain rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA and Yang and further in view of Nakaya et al. (U.S. Patent No. 6,172,458) (hereinafter “Nakaya”). Claims 7 and 8 remain rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA, Yang and Gyotoku and further in view of Gledhill. Claims 16-17 and 23-24 remain rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA and Yang and further in view of Gledhill.

**I. Claim 1**

With regard to independent claim 1, Applicants respectfully submit that AAPA, Yang and Gyotoku, whether taken singly or combined, do not teach or suggest the claimed combination, including at least the recited feature of “the protective film has a multi-layer structure of at least a moisture-absorbing layer and a moisture-proof layer.”

The Office Action on the page 3 concedes at page 3 that AAPA and Yang fail to disclose a protective film having multi-layer structure of at least a moisture absorbing layer and a

moisture-proof layer but alleges that Gyotoku discloses such a protective film by citing to disclosure at lines 32-46 of column 4, lines 33-36 of column 7, lines 5-15 of column 9 and in Fig. 6. Applicants respectfully disagree. The cited portions of Gyotoku disclose a protective layer 7 consisting of an insulating compound layer 7a and a metal layer 7b formed on the insulating compound layer 7a. However, Applicants respectfully submit that the metal layer 7b merely suppresses as a transitional decline of luminance of light emission. And Applicants respectfully submit that the insulating compound layer 7a is the only moisture prevention layer. In contrast, in the present invention, the claimed protective film includes two moisture preventing layers: a moisture-absorbing layer and a moisture-proof layer. Thus, Applicants respectfully submit that Gyotoku fails to teach or suggest the claimed combination including “the protective film has a multi-layer structure of at least a moisture-absorbing layer and a moisture-proof layer,” as recited in independent claim 1. Accordingly, Applicants respectfully submit that AAPA, Yang and Gyotoku, whether taken singly or combined, do not teach or suggest the claimed combination, including at least “the protective film has a multi-layer structure of at least a moisture-absorbing layer and a moisture-proof layer,” as recited in independent claim 1.

## **II. Claim 10**

With regard to independent claim 10, Applicants respectfully submit that AAPA, Yang, whether taken singly or combined, do not teach or suggest the claimed combination, including at least the recited feature of “a heat-exhausting layer formed on the seal cover plate.”

The Office Action concedes at page 5 that AAPA fails to disclose a heat exhausting layer formed on the seal cover plate, but alleges Yang that discloses a heat-exhausting layer 40 deposited on top of the organic polymer EL display by citing to disclosure in Fig. 3D and at lines 55-60 of column 4. Applicants respectfully disagree. Applicants respectfully submit that the

cited portions of Yang discloses a covering layer 40 deposited on top of an aluminum nitride layer 38. While the covering layer 40 may enhance the effect of heat-dissipation, Applicants respectfully submit that the aluminum nitride layer 38 is not analogous to the seal cover plate, as recited in independent claim 10. Therefore, Applicants respectfully submit that Gyotoku fails to teach or suggest the claimed combination including “a heat-exhausting layer formed on the seal cover plate,” as recited in independent claim 10. Accordingly, Applicants respectfully submit that AAPA and Yang, whether taken singly or combined, do not teach or suggest the claimed combination, including at least “a heat-exhausting layer formed on the seal cover plate,” as recited in independent claim 10.

### **III. Claim 19**

With regard to independent claim 19, Applicants respectfully submit that AAPA and Yang, whether taken singly or combined, do not teach or suggest the claimed combination, including at least the recited feature of “a heat-exhausting layer formed on the protective film.”

The Office Action on page 6 concedes that AAPA and Yang fail to disclose a heat exhausting layer formed on the protective film, but alleges that “[i]t would have been obvious to one having ordinary skill in the art at the time the invention was made to rearrange the heat exhausting layer on the protective film, since it has been held that rearranging parts of the invention involves only routine skill in the art.” Applicants respectfully disagree. Applicants respectfully submit that there is no motivation taught or suggested by AAPA and Yang to rearrange the heat exhausting layer on the protective film to obtain the claimed device. MPEP § 2143.01 instructs that “[a]lthough a prior art device ‘may be capable of being modified to run the way the apparatus is claimed, there must be a suggestion or motivation in the reference to do so.’” Applicants respectfully submit that AAPA and Yang, whether taken singly or combined, do not

provide such a suggestion or motivation, and therefore do not teach or suggest “a heat-exhausting layer formed on the protective film,” as recited in independent claim 19. Thus, Applicants respectfully submit that the Office Action has not established a prima facie case of obviousness.

#### **IV. Claim 26**

With regard to independent claim 26, Applicants respectfully submit that AAPA and Shi, whether taken singly or combined, do not teach or suggest the claimed combination, including at least the recited feature of “a metal thin film provided under the seal cover plate to smoothly transfer heat.”

The Office Action on the page 7 concedes that AAPA does not disclose a metal thin film provided under a seal cover plate, but alleges that Shi at lines 40-63 of column 3, lines 5-30 of column 4 and in Figs. 4,5 discloses a inorganic layer 26 under a foil 30. Applicants respectfully disagree. First, the foil 30 is not a seal cover plate. Second, Applicants respectfully submit that the metal thin film of claim 26 smoothly transfers heat from the electro-luminescent layer. In contrast to the present invention, Shi never teaches or suggests that the inorganic layer 26 can smoothly transfer heat from the electro-luminescent layer. In fact, Applicants respectfully submit that the inorganic layer 26 does not smoothly transfer heat because layers 24 and 26 insulate heat from the electro-luminescent portion. As such, Shi cannot remedy the deficiencies of AAPA. Accordingly, Applicants respectfully submit that AAPA and Shi, whether taken singly or combined, do not teach or suggest “a metal thin film provided under the seal cover plate to smoothly transfer heat,” as recited by independent claim 26.

In addition, Applicants respectfully submit that Nakaya and Gledhill do not cure the deficiencies of the above-discussed references.

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Therefore, Applicants respectfully assert that the rejections of independent claims 1, 10, 19 and 26 under 35 U.S. C. § 103(a) should be withdrawn because the all cited references, whether taken singly or combined, do not teach or suggest at least the above cited features. As pointed out in MPEP § 2143.03 instructs that "[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 409 F.2d 981, 180 USPQ 580 (CCPA 1974)." Furthermore, Applicants respectfully assert that the rejections of dependent claims 4-9, 11-18, and 27-33 under 35 U.S. C. § 103(a) should be withdrawn at least because of their dependencies upon the respective independent claims 1, 10, 19 and 26, and for the reasons set forth above.

Since Applicants have canceled claim 3, the rejection of claim 3 has been rendered moot.

With no other rejection pending, Applicants respectfully submit that claims 1 and 4-33 are in condition for allowance.

**Conclusion**

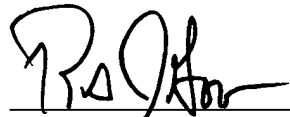
In view of the foregoing, Applicants respectfully request entry of the amendments to place the application in clear condition for allowance or, in the alternative, in better form for appeal. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and the fee should also be charged to our Deposit Account.

Respectfully Submitted,

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